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Blue River Seafood, Inc.
Safe Coast Seafoods, LLC, and
Safe Coast Seafoods Washington, LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

BRAND LITTLE, and ROBIN BURNS,
Individually and on Behalf of All Others
Similarly Situated,

Plaintiff,

v.

PACIFIC SEAFOOD PROCUREMENT, LLC;
PACIFIC SEAFOOD PROCESSING, LLC;
PACIFIC SEAFOOD FLEET, LLC; PACIFIC
SEAFOOD DISTRIBUTION, LLC; PACIFIC
SEAFOOD USA, LLC; DULCICH, INC.;
PACIFIC SEAFOOD EUREKA, LLC;
PACIFIC SEAFOOD CHARLESTON, LLC;
PACIFIC SEAFOOD – WARRENTON, LLC;
PACIFIC SEAFOOD – NEWPORT, LLC;
PACIFIC SEAFOOD – BROOKINGS, LLC,
PACIFIC SEAFOOD – WESTPORT, LLC;
PACIFIC SURIMI – NEWPORT, LLC; BLUE
RIVER SEAFOOD, INC.; SAFE COAST
SEAFOODS, LLC; SAFE COAST SEAFOODS
WASHINGTON, LLC; OCEAN GOLD

Case No. 23-cv-01098-AGT

**ANSWER TO THIRD AMENDED CLASS
ACTION COMPLAINT BY DEFENDANTS
BLUE RIVER SEAFOOD, INC., SAFE
COAST SEAFOODS, LLC, AND
SAFE COAST SEAFOODS WASHINGTON,
LLC**

DEMAND FOR JURY TRIAL

1 SEAFOODS, INC.; NOR-CAL SEAFOOD,
2 INC.; AMERICAN SEAFOOD EXP, INC.;
3 CALIFORNIA SHELLFISH COMPANY, INC.;
4 ROBERT BUGATTO ENTERPRISES, INC.;
5 ALASKA ICE SEAFOODS, INC.; LONG
6 FISHERIES, INC.; CAITO FISHERIES, INC.;
7 CATIO FISHERIES, LLC; SOUTHWIND
8 FOODS, LLC; FISHERMEN'S CATCH, INC.;
9 GLOBAL QUALITY FOODS, INC.; GLOBAL
10 QUALITY SEAFOOD LLC; OCEAN KING
11 FISH, INC.; BORNSTEIN SEAFOODS, INC.;
12 ASTORIA PACIFIC SEAFOODS, LLC; DA
13 YANG SEAFOOD INC.; GREAT OCEAN
14 SEAFOOD INC.; and DOES 32-60,

15 Defendants.

Defendants Blue River Seafood, Inc., Safe Coast Seafoods, LLC, and Safe Coast Seafoods Washington, LLC (together “Blue River”) answer Plaintiffs’ Second Amended Complaint as follows. Unless expressly admitted, Blue River denies the allegations in each Paragraph. To the extent headings are deemed to be substantive allegations to which an answer is required, Blue River denies the allegations. To the extent footnotes, screenshots or other images, charts, graphs, or figures in the are deemed to be substantive allegations, then the response to the paragraph in which the footnote or figure is found is Blue River’s response to the footnote, chart, graph or figure as well.

INTRODUCTION

1. Blue River admits there currently are more than 1,000 independent commercial crabbers licensed to land Dungeness crab in California, coastal Washington, including Puget Sound, and Oregon. Blue River further admits that Plaintiff Brand Little is a crabber and that Plaintiff Robin Burns was married to a crabber, Kenny Burns. Blue River lacks knowledge or information sufficient to admit or deny the remaining allegations in Paragraph 1 and accordingly denies them.

2. Blue River lacks knowledge or information sufficient to admit or deny the remaining allegations in Paragraph 2 and accordingly denies them.

3. Blue River admits that the “ex vessel price” means the price off the boat. Blue River denies the other allegations in Paragraph 3.

4. Blue River denies the allegations in Paragraph 4.

5. Blue River denies the allegations in Paragraph 5.

6. Blue River denies the allegations in Paragraph 6.

7. Blue River denies the allegations in Paragraph 7.

8. Blue River denies the allegations in Paragraph 8 and each of its subparagraphs.

9. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 9 and accordingly denies them.

10. The allegations in Paragraph 10 contain legal conclusions to which no response is required. To the extent a response is required, Blue River denies the allegations in Paragraph 10.

11. To the extent an answer is required, Blue River denies the allegations in Paragraph 11.

PARTIES

12. Blue River denies that it engaged in any “unfair and illegal anticompetitive activities.” Blue River lacks knowledge or information sufficient to admit or deny other allegations in Paragraph 12 and on that basis denies them.

13. Blue River denies that it engaged in any “unfair and illegal anticompetitive activities.” Blue River lacks knowledge or information sufficient to admit or deny other allegations in Paragraph 13 and on that basis denies them.

14. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 14 and accordingly denies them.

15. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 15 and accordingly denies them.

16. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 16 and accordingly denies them.

17. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 17 and accordingly denies them.

18. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 18 and accordingly denies them.

19. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 19 and accordingly denies them.

20. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 20 and accordingly denies them.

21. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 21 and accordingly denies them.

22. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 22 and accordingly denies them.

23. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 23 and accordingly denies them.

24. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 24 and accordingly denies them.

25. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 25 and accordingly denies them.

26. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 26 and accordingly denies them.

27. The allegations in Paragraph 27 contain legal conclusions to which no response is required. To the extent a response is required, Blue River denies the allegations in Paragraph 27.

28. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 28 and accordingly denies them.

29. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 29 and accordingly denies them.

30. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 30 and accordingly denies them.

31. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 31 and accordingly denies them.

32. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 32 and accordingly denies them.

33. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 33 and accordingly denies them.

34. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 34 and accordingly denies them.

35. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 35 and accordingly denies them.

36. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 36 and accordingly denies them.

37. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 37 and accordingly denies them.

1 38. Blue River lacks knowledge or information sufficient to admit or deny the allegations
2 in Paragraph 38 and accordingly denies them.

3 39. Blue River lacks knowledge or information sufficient to admit or deny the allegations
4 in Paragraph 39 and accordingly denies them.

5 40. Blue River admits the allegations in Paragraph 40.

6 41. Blue River admits the allegations in Paragraph 41.

7 42. Blue River admits the allegations in Paragraph 42.

8 43. Blue River admits the allegations in Paragraph 43.

9 44. Blue River admits that Pucci Foods purchased out of receivership the assets of Jessie's
10 Ilwaco Fish Co. Inc., Alber Seafoods, Inc., and Alber Enterprises, Inc., including the name "Jessie's
11 Ilwaco Fish Company," in late 2020, and that it has done business under the names Safe Coast, Safe
12 Coast Seafood, Safe Coast Seafood WA, Jessie's Ilwaco Fish, Pucci Foods, and Pucci. Otherwise,
13 Blue River denies the allegations in Paragraph 44.

14 45. Blue River admits that it has paid for ex vessel purchases with checks from Pucci
15 Foods. Blue River lacks knowledge or information sufficient to admit or deny the other allegations in
16 Paragraph 45 and accordingly denies them.

17 46. Blue River admits that Max Boland serves as a General Manager of Safe Coast, that
18 Mr. Boland previously worked for Alber Seafood, and that Blue River acquired the assets of Alber
19 Seafood out of receivership at the end of 2020. Blue River denies Alber Seafood is its predecessor in
20 interest and denies the remaining allegations of Paragraph 46.

21 47. Blue River lacks knowledge or information sufficient to admit or deny the allegations
22 in Paragraph 47 and accordingly denies them.

23 48. Blue River admits it started purchasing crab through Safe Coast in Ilwaco, WA, in
24 2021. Blue River lacks knowledge or information sufficient to admit or deny the remaining
25 allegations in Paragraph 48 and accordingly denies them.

26 49. Blue River lacks knowledge or information sufficient to admit or deny the allegations
27 in Paragraph 49 and accordingly denies them.

50. Blue River admits that it made ex vessel purchases of Dungeness crab in Crescent City and San Francisco, California through Safe Coast Seafood, LLC, starting in 2021. Blue River lacks knowledge or information sufficient to admit or deny the remaining allegations in Paragraph 50 and accordingly denies them.

51. Blue River admits it made ex vessel purchases of Dungeness crab in Ilwaco, Nahcotta, Bay Center, Chinook, and Westport, Washington, and Newport and Astoria, Oregon through Safe Coast Seafood Washington, LLC, starting in 2021. Blue River lacks knowledge or information sufficient to admit or deny the remaining allegations in Paragraph 51 and accordingly denies them.

52. The allegations in Paragraph 52 contain legal conclusions to which no response is required.

53. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 53 and accordingly denies them.

54. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 54 and accordingly denies them.

55. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 55 and accordingly denies them.

56. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 56 and accordingly denies them.

57. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 57 and accordingly denies them.

58. The allegations in Paragraph 58 contain legal conclusions to which no response is required.

59. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 59 and accordingly denies them.

60. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 60 and accordingly denies them.

61. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 61 and accordingly denies them.

62. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 62 and accordingly denies them.

63. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 63 and accordingly denies them.

64. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 64 and accordingly denies them.

65. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 65 and accordingly denies them.

66. The allegations in Paragraph 66 contain legal conclusions to which no response is required.

67. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 67 and accordingly denies them.

68. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 68 and accordingly denies them.

69. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 69 and accordingly denies them.

70. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 70 and accordingly denies them.

71. The allegations in Paragraph 71 contain a legal conclusion and accordingly no response is required.

72. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 72 and accordingly denies them.

73. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 73 and accordingly denies them.

74. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 74 and accordingly denies them.

75. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 75 and accordingly denies them.

1 76. Blue River lacks knowledge or information sufficient to admit or deny the allegations
2 in Paragraph 76 and accordingly denies them.

3 77. Blue River lacks knowledge or information sufficient to admit or deny the allegations
4 in Paragraph 77 and accordingly denies them.

5 78. Blue River lacks knowledge or information sufficient to admit or deny the allegations
6 in Paragraph 78 and accordingly denies them.

7 79. The allegations in Paragraph 79 contain legal conclusions to which no response is
8 required.

9 80. Blue River lacks knowledge or information sufficient to admit or deny the allegations
10 in Paragraph 80 and accordingly denies them.

11 81. Blue River lacks knowledge or information sufficient to admit or deny the allegations
12 in Paragraph 81 and accordingly denies them.

13 82. Blue River lacks knowledge or information sufficient to admit or deny the allegations
14 in Paragraph 82 and accordingly denies them.

15 83. Blue River lacks knowledge or information sufficient to admit or deny the allegations
16 in Paragraph 83 and accordingly denies them.

17 84. Blue River lacks knowledge or information sufficient to admit or deny the allegations
18 in Paragraph 84 and accordingly denies them.

19 85. Blue River lacks knowledge or information sufficient to admit or deny the allegations
20 in Paragraph 85 and accordingly denies them.

21 86. Blue River lacks knowledge or information sufficient to admit or deny the allegations
22 in Paragraph 86 and accordingly denies them.

23 87. Blue River lacks knowledge or information sufficient to admit or deny the allegations
24 in Paragraph 87 and accordingly denies them.

25 88. The allegations in Paragraph 88 contain legal conclusions to which no response is
26 required.

27 89. Blue River lacks knowledge or information sufficient to admit or deny the allegations
28 in Paragraph 89 and accordingly denies them.

1 90. Blue River lacks knowledge or information sufficient to admit or deny the allegations
2 in Paragraph 90 and accordingly denies them.

3 91. Blue River lacks knowledge or information sufficient to admit or deny the allegations
4 in Paragraph 91 and accordingly denies them.

5 92. Blue River lacks knowledge or information sufficient to admit or deny the allegations
6 in Paragraph 92 and accordingly denies them.

7 93. Blue River lacks knowledge or information sufficient to admit or deny the allegations
8 in Paragraph 93 and accordingly denies them.

9 94. Blue River lacks knowledge or information sufficient to admit or deny the allegations
10 in Paragraph 94 and accordingly denies them.

11 95. Blue River lacks knowledge or information sufficient to admit or deny the allegations
12 in Paragraph 95 and accordingly denies them.

13 96. The allegations in Paragraph 96 contain legal conclusions to which no response is
14 required.

15 97. Blue River lacks knowledge or information sufficient to admit or deny the allegations
16 in Paragraph 97 and accordingly denies them.

17 98. Blue River lacks knowledge or information sufficient to admit or deny the allegations
18 in Paragraph 98 and accordingly denies them.

19 99. Blue River lacks knowledge or information sufficient to admit or deny the allegations
20 in Paragraph 99 and accordingly denies them.

21 100. Blue River lacks knowledge or information sufficient to admit or deny the allegations
22 in Paragraph 100 and accordingly denies them.

23 101. The allegations in Paragraph 101 contain legal conclusions to which no response is
24 required.

25 102. Blue River lacks knowledge or information sufficient to admit or deny the allegations
26 in Paragraph and accordingly denies them.

27 103. Blue River lacks knowledge or information sufficient to admit or deny the allegations
28 in Paragraph 103 and accordingly denies them.

1 104. Blue River lacks knowledge or information sufficient to admit or deny the allegations
2 in Paragraph 104 and accordingly denies them.

3 105. Blue River lacks knowledge or information sufficient to admit or deny the allegations
4 in Paragraph 105 and accordingly denies them.

5 106. Blue River lacks knowledge or information sufficient to admit or deny the allegations
6 in Paragraph 106 and accordingly denies them.

7 107. Blue River lacks knowledge or information sufficient to admit or deny the allegations
8 in Paragraph 107 and accordingly denies them.

9 108. The allegations in Paragraph 108 contain legal conclusions to which no response is
10 required.

11 109. Blue River lacks knowledge or information sufficient to admit or deny the allegations
12 in Paragraph 109 and accordingly denies them.

13 110. Blue River lacks knowledge or information sufficient to admit or deny the allegations
14 in Paragraph 110 and accordingly denies them.

15 111. Blue River lacks knowledge or information sufficient to admit or deny the allegations
16 in Paragraph 111 and accordingly denies them.

17 112. Blue River lacks knowledge or information sufficient to admit or deny the allegations
18 in Paragraph 112 and accordingly denies them.

19 113. Blue River lacks knowledge or information sufficient to admit or deny the allegations
20 in Paragraph 113 and accordingly denies them.

21 114. Blue River lacks knowledge or information sufficient to admit or deny the allegations
22 in Paragraph 114 and accordingly denies them.

23 115. Blue River lacks knowledge or information sufficient to admit or deny the allegations
24 in Paragraph 115 and accordingly denies them.

25 116. Blue River lacks knowledge or information sufficient to admit or deny the allegations
26 in Paragraph 116 and accordingly denies them.

27 117. Blue River lacks knowledge or information sufficient to admit or deny the allegations
28 in Paragraph 117 and accordingly denies them.

1 118. Blue River lacks knowledge or information sufficient to admit or deny the allegations
2 in Paragraph 118 and accordingly denies them.

3 119. Blue River lacks knowledge or information sufficient to admit or deny the allegations
4 in Paragraph 119 and accordingly denies them.

5 120. The allegations in Paragraph 120 contain legal conclusions to which no response is
6 required.

7 121. Blue River lacks knowledge or information sufficient to admit or deny the allegations
8 in Paragraph 121 and accordingly denies them.

9 122. Blue River lacks knowledge or information sufficient to admit or deny the allegations
10 in Paragraph 122 and accordingly denies them.

11 123. Blue River lacks knowledge or information sufficient to admit or deny the allegations
12 in Paragraph 123 and accordingly denies them.

13 124. Blue River lacks knowledge or information sufficient to admit or deny the allegations
14 in Paragraph 124 and accordingly denies them.

15 125. Blue River lacks knowledge or information sufficient to admit or deny the allegations
16 in Paragraph 125 and accordingly denies them.

17 126. The allegations in Paragraph 126 contain legal conclusions to which no response is
18 required.

19 127. The allegations in Paragraph 127 contain legal conclusions to which no response is
20 required.

21 128. Blue River denies the allegations in Paragraph 128.

22 129. Blue River denies the allegations in Paragraph 129.

23 130. Blue River denies the allegations in Paragraph 130.

24 131. Blue River denies the allegations in Paragraph 131.

25 132. The allegations in Paragraph 132 contain legal conclusions to which no response is
26 required. To the extent a response is required, Blue River denies the allegations in Paragraph 132.

27 133. The allegations in Paragraph 133 contain legal conclusions to which no response is
28 required. To the extent a response is required, Blue River denies the allegations in Paragraph 133.

1 134. The allegations in Paragraph 134 contain legal conclusions to which no response is
2 required. To the extent a response is required, Blue River denies the allegations in Paragraph 134.

3 135. Blue River denies the allegations in Paragraph 135.

4 136. Blue River denies the allegations in Paragraph 136.

5 **JURISDICTION, VENUE, AND COMMERCE**

6 137. The allegations in Paragraph 137 contain legal conclusions to which no response is
7 required. To the extent a response is required, Blue River admits that the Court has subject matter
8 jurisdiction to the extent Plaintiffs have suffered an injury cognizable under Article III of the United
9 States Constitution.

10 138. The allegations in Paragraph 138 contain legal conclusions to which no response is
11 required. To the extent a response is required, Blue River admits the Court has personal jurisdiction
12 over it but denies the remaining allegations in Paragraph 138, including that Plaintiffs suffered
13 antitrust injury.

14 139. The allegations in Paragraph 139 contain legal conclusions to which no response is
15 required. To the extent a response is required, Blue River admits that venue in this District is
16 appropriate.

17 140. Blue River denies the allegations in Paragraph 140.

18 141. Blue River denies the allegations in Paragraph 141.

19 **INTRADISTRICT ASSIGNMENT**

20 142. The allegations in Paragraph 142 contain legal conclusions to which no response is
21 required. To the extent a response is required, Blue River admits that assignment of this case to the
22 San Francisco Division of the United States District Court for the Northern District of California is
23 proper.

24 **FACTUAL ALLEGATIONS**

25 143. Blue River admits that Dungeness crab is a species of shellfish found in the Pacific
26 Ocean and fished for human consumption. Otherwise, Blue River denies the allegations in Paragraph
27 143.

1 144. Blue River admits that: Dungeness crab is enjoyed fresh by consumers along the West
2 Coast, including during holidays, and that a portion of the catch is also exported live to Asian
3 markets, particularly China, but also Korea, Vietnam and other countries. Otherwise, Blue River
4 denies the allegations in Paragraph 144.

5 145. Blue River admits commercial Dungeness crab fishing requires a permit, known in
6 California as a “registration,” which is tied to a specific vessel. Blue River further admits that the
7 Dungeness crab fishery is what is known as a “derby” fishery because there are no quotas and
8 crabbers are permitted to catch as many Dungeness crabs as they can during the season. Otherwise,
9 Blue River denies the allegations in Paragraph 145.

10 146. Blue River admits that the Dungeness crab season for most of the Pacific NW Areas
11 has in the past opened on December 1, unless delayed. Pacific Seafood further admits that, unless
12 delayed, the season for commercial crab fishing in California’s District 10 has in the past started on
13 November 15. Otherwise, Pacific Seafood denies the allegations in Paragraph 146.

14 147. Blue River lacks knowledge or information sufficient to admit or deny the allegations
15 in Paragraph 147 and accordingly denies them.

16 148. Blue River admits the allegations in Paragraph 148.

17 149. Blue River admits the allegations in Paragraph 149.

18 150. Blue River admits that it and other buyers resell Dungeness crab either live, fresh
19 cooked, in sections, frozen, or canned. Otherwise, Blue River denies the allegations in Paragraph
20 150.

21 151. Blue River lacks knowledge or information sufficient to admit or deny the allegations
22 in Paragraph 151 and accordingly denies them.

23 152. Blue River lacks knowledge or information sufficient to admit or deny the allegations
24 in Paragraph 152 and accordingly denies them.

25 153. Blue River lacks knowledge or information sufficient to admit or deny the allegations
26 in Paragraph 153 and accordingly denies them.

27 154. Blue River admits that Bornstein, Caito, Hallmark, Ocean Gold, Pacific Seafood, and
28 Safe Coast are members of the West Coast Seafood Processors Association (“WCSPA”) and that

1 WCSA is a seafood industry trade association whose members operate in Washington, Oregon and
2 California. Otherwise, Blue River denies the allegations in Paragraph 154.

3 155. Blue River denies the allegations in Paragraph 155.

4 156. Blue River denies the allegations in Paragraph 156.

5 157. Blue River denies the allegations in Paragraph 157.

6 158. Blue River lacks knowledge or information sufficient to admit or deny the allegations
7 in Paragraph 158 and accordingly denies them.

8 159. Blue River lacks knowledge or information sufficient to admit or deny the allegations
9 in Paragraph 159 and accordingly denies them.

10 160. Blue River lacks knowledge or information sufficient to admit or deny the allegations
11 in Paragraph 160 and accordingly denies them.

12 161. Blue River lacks knowledge or information sufficient to admit or deny the allegations
13 in Paragraph 161 and accordingly denies them.

14 162. Blue River lacks knowledge or information sufficient to admit or deny the allegations
15 in Paragraph 162 and accordingly denies them.

16 163. Blue River lacks knowledge or information sufficient to admit or deny the allegations
17 in Paragraph 163 and accordingly denies them.

18 164. Blue River lacks knowledge or information sufficient to admit or deny the allegations
19 in Paragraph 164 and accordingly denies them.

20 165. Blue River lacks knowledge or information sufficient to admit or deny the allegations
21 in Paragraph 165 and accordingly denies them.

22 166. Blue River lacks knowledge or information sufficient to admit or deny the allegations
23 in Paragraph 166 and accordingly denies them.

24 167. Blue River lacks knowledge or information sufficient to admit or deny the allegations
25 in Paragraph 167 and accordingly denies them.

26 168. Blue River admits that the ex vessel price received by a crabber for a load of crab can
27 soon be widely known among other fisherman who may then use that information to negotiate with the
28

1 same or different buyers to purchase their catches. Otherwise, Blue River denies the allegations in
2 Paragraph 168.

3 169. Blue River lacks knowledge or information sufficient to admit or deny the allegations
4 in Paragraph 169 and accordingly denies them.

5 170. Blue River denies the allegations in Paragraph 170.

6 171. Blue River denies that it entered into any unlawful agreement with other ex vessel
7 buyers. Blue River lacks knowledge or information sufficient to admit or deny the other allegations
8 in Paragraph 171 and accordingly denies them.

9 172. Blue River lacks knowledge or information sufficient to admit or deny the allegations
10 in Paragraph 172 and accordingly denies them.

11 173. Blue River lacks knowledge or information sufficient to admit or deny the allegations
12 in Paragraph 173 and accordingly denies them.

13 174. Blue River lacks knowledge or information sufficient to admit or deny the allegations
14 in Paragraph 174 and accordingly denies them.

15 175. Blue River lacks knowledge or information sufficient to admit or deny the allegations
16 in Paragraph 175 and accordingly denies them.

17 176. Blue River lacks knowledge or information sufficient to admit or deny the allegations
18 in Paragraph 176 and accordingly denies them.

19 177. Blue River denies the allegations in Paragraph 177.

20 178. Blue River denies the allegations in Paragraph 178.

21 179. Blue River denies the allegations in Paragraph 179.

22 180. Blue River denies the allegations in Paragraph 180.

23 181. Blue River denies the allegations in Paragraph 181.

24 182. Blue River denies the allegations in Paragraph 182.

25 183. Blue River denies the allegations in Paragraph 183.

26 184. Blue River lacks knowledge or information sufficient to admit or deny the allegations
27 in Paragraph 184 and accordingly denies them.

1 185. Blue River lacks knowledge or information sufficient to admit or deny the allegations
2 in Paragraph 185 and accordingly denies them.

3 186. Blue River lacks knowledge or information sufficient to admit or deny the allegations
4 in Paragraph 186 and accordingly denies them.

5 187. Blue River lacks knowledge or information sufficient to admit or deny the allegations
6 in Paragraph 187 and accordingly denies them.

7 188. Blue River lacks knowledge or information sufficient to admit or deny the allegations
8 in Paragraph 188 and accordingly denies them.

9 189. Blue River denies the allegations in Paragraph 189.

10 190. Blue River denies the allegations in Paragraph 190.

11 191. Blue River denies the allegations in Paragraph 191.

12 192. Blue River lacks knowledge or information sufficient to admit or deny the allegations
13 in Paragraph 192 and accordingly denies them.

14 193. Blue River lacks knowledge or information sufficient to admit or deny the allegations
15 in Paragraph 193 and accordingly denies them.

16 194. Blue River lacks knowledge or information sufficient to admit or deny the allegations
17 in Paragraph 194 and accordingly denies them.

18 195. Blue River lacks knowledge or information sufficient to admit or deny the allegations
19 in Paragraph 195 and accordingly denies them.

20 196. Blue River lacks knowledge or information sufficient to admit or deny the allegations
21 in Paragraph 196 and accordingly denies them.

22 197. Blue River denies the allegations in Paragraph 197.

23 198. Blue River lacks knowledge or information sufficient to admit or deny the allegations
24 in Paragraph 198 and accordingly denies them.

25 199. Blue River lacks knowledge or information sufficient to admit or deny the allegations
26 in Paragraph 199 and accordingly denies them.

27 200. Blue River denies the allegations in Paragraph 200.

201. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 201 and accordingly denies them.

202. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 202 and accordingly denies them.

203. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 203 and accordingly denies them.

204. Blue River denies the allegations in Paragraph 204.

205. Blue River denies the allegations in Paragraph 205.

206. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 206 and accordingly denies them.

207. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 207 and accordingly denies them.

208. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 208 and accordingly denies them.

209. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 209 and accordingly denies them.

210. Blue River denies it entered any agreement with other Defendants to refuse to offer an opening price. Otherwise, Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 210 and accordingly denies them.

211. Blue River denies it entered any agreement with other Defendants to refuse to offer an opening price. Otherwise, Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 211 and accordingly denies them.

212. Blue River admits that the California Department of Fish and Wildlife announced that the Dungeness crab season for California ports would open on December 31, 2022. Blue River denies it entered any agreement with other Defendants to refuse to offer an opening price. Otherwise, Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 212 and accordingly denies them.

1 213. Blue River lacks knowledge or information sufficient to admit or deny the allegations
2 in Paragraph 213 and accordingly denies them.

3 214. Blue River lacks knowledge or information sufficient to admit or deny the allegations
4 in Paragraph 214 and accordingly denies them.

5 215. Blue River lacks knowledge or information sufficient to admit or deny the allegations
6 in Paragraph 215 and accordingly denies them.

7 216. Blue River lacks knowledge or information sufficient to admit or deny the allegations
8 in Paragraph 216 and accordingly denies them.

9 217. Blue River denies the existence of any price-fixing agreement with other Defendants.
10 Otherwise, Blue River lacks knowledge or information sufficient to admit or deny the allegations in
11 Paragraph 217 and accordingly denies them.

12 218. Blue River denies the existence of any price-fixing agreement with other Defendants.
13 Otherwise, Blue River lacks knowledge or information sufficient to admit or deny the allegations in
14 Paragraph 218 and accordingly denies them.

15 219. Blue River lacks knowledge or information sufficient to admit or deny the allegations
16 in Paragraph 219 and accordingly denies them.

17 220. Blue River lacks knowledge or information sufficient to admit or deny the allegations
18 in Paragraph 220 and accordingly denies them.

19 221. Blue River lacks knowledge or information sufficient to admit or deny the allegations
20 in Paragraph 221 and accordingly denies them.

21 222. Blue River lacks knowledge or information sufficient to admit or deny the allegations
22 in Paragraph 222 and accordingly denies them.

23 223. Blue River lacks knowledge or information sufficient to admit or deny the allegations
24 in Paragraph 223 and accordingly denies them.

25 224. Blue River lacks knowledge or information sufficient to admit or deny the allegations
26 in Paragraph 224 and accordingly denies them.

27 225. Blue River lacks knowledge or information sufficient to admit or deny the allegations
28 in Paragraph 225 and accordingly denies them.

1 226. Blue River denies the existence of any price-fixing agreement with other Defendants.
2 Otherwise, Blue River lacks knowledge or information sufficient to admit or deny the allegations in
3 Paragraph 226 and accordingly denies them.

4 227. Blue River denies the allegations in Paragraph 227.

5 228. Blue River denies the existence of any price-fixing agreement with other Defendants.
6 Blue River admits that the quoted language (except for the bracketed material) is taken from a text
7 from Mr. Boland, but otherwise denies the allegations in Paragraph 228.

8 229. Blue River denies the existence of any price-fixing agreement with other Defendants.
9 Blue River admits that the quoted material is taken from a text from Mr. Boland, but otherwise denies
10 the allegations in Paragraph 229.

11 230. Blue River lacks knowledge or information sufficient to admit or deny the allegations
12 in Paragraph 230 and accordingly denies them.

13 231. Blue River lacks knowledge or information sufficient to admit or deny the allegations
14 in Paragraph 231 and accordingly denies them.

15 232. Blue River admits that its representatives attended the “2023 Dungeness Crab Price
16 Negotiations” organized by the Oregon Department of Agriculture at the Embarcadero Resort Hotel
17 & Marina in Newport, Oregon, on December 10 and 11, 2023, and that representatives of sellers,
18 buyers, and government officials were present. Otherwise, Blue River denies the allegations in
19 Paragraph 232.

20 233. Blue River admits that its representatives attended the “2023 Dungeness Crab Price
21 Negotiations” organized by the Oregon Department of Agriculture at the Embarcadero Resort Hotel
22 & Marina in Newport, Oregon, on December 10 and 11, 2023, and that representatives of sellers,
23 buyers, and government officials were present. Otherwise, Blue River denies the allegations in
24 Paragraph 233.

25 234. Blue River lacks knowledge or information sufficient to admit or deny the allegations
26 in Paragraph 234 and accordingly denies them.

27 235. Blue River lacks knowledge or information sufficient to admit or deny the allegations
28 in Paragraph 235 and accordingly denies them.

1 236. Blue River denies the allegations in Paragraph 236.

2 237. Blue River lacks knowledge or information sufficient to admit or deny the allegations
3 in Paragraph 237 and accordingly denies them.

4 238. Blue River lacks knowledge or information sufficient to admit or deny the allegations
5 in Paragraph 238 and accordingly denies them.

6 239. Blue River lacks knowledge or information sufficient to admit or deny the allegations
7 in Paragraph 239 and accordingly denies them.

8 240. Blue River lacks knowledge or information sufficient to admit or deny the allegations
9 in Paragraph 240 and accordingly denies them.

10 241. Blue River lacks knowledge or information sufficient to admit or deny the allegations
11 in Paragraph 241 and accordingly denies them.

12 242. Blue River admits the quoted words (other than alterations) were in texts, but
13 otherwise denies the allegations in Paragraph 243.

14 243. Blue River admits the quoted words (other than alterations) were in texts, but
15 otherwise denies the allegations in Paragraph 243.

16 244. Blue River lacks knowledge or information sufficient to admit or deny the allegations
17 in Paragraph 244 and accordingly denies them.

18 245. Blue River denies the allegations in Paragraph 245.

19 246. Blue River denies the allegations in Paragraph 246.

20 247. Blue River denies the allegations in Paragraph 247.

21 248. Blue River lacks knowledge or information sufficient to admit or deny the allegations
22 in Paragraph 248 and accordingly denies them.

23 249. Blue River lacks knowledge or information sufficient to admit or deny the allegations
24 in Paragraph 249 and accordingly denies them.

25 250. Blue River lacks knowledge or information sufficient to admit or deny the allegations
26 in Paragraph 250 and accordingly denies them.

27 251. Blue River lacks knowledge or information sufficient to admit or deny the allegations
28 in Paragraph 251 and accordingly denies them.

1 252. Blue River lacks knowledge or information sufficient to admit or deny the allegations
2 in Paragraph 252 and accordingly denies them.

3 253. Blue River lacks knowledge or information sufficient to admit or deny the allegations
4 in Paragraph 253 and accordingly denies them.

5 254. Blue River lacks knowledge or information sufficient to admit or deny the allegations
6 in Paragraph 254 and accordingly denies them.

7 255. Blue River lacks knowledge or information sufficient to admit or deny the allegations
8 in Paragraph 255 and accordingly denies them.

9 256. Blue River lacks knowledge or information sufficient to admit or deny the allegations
10 in Paragraph 256 and accordingly denies them.

11 257. Blue River lacks knowledge or information sufficient to admit or deny the allegations
12 in Paragraph 257 and accordingly denies them.

13 258. Blue River lacks knowledge or information sufficient to admit or deny the allegations
14 in Paragraph 258 and accordingly denies them.

15 259. Blue River lacks knowledge or information sufficient to admit or deny the allegations
16 in Paragraph 259 and accordingly denies them.

17 260. Blue River lacks knowledge or information sufficient to admit or deny the allegations
18 in Paragraph 260 and accordingly denies them.

19 261. Blue River lacks knowledge or information sufficient to admit or deny the allegations
20 in Paragraph 261 and accordingly denies them.

21 262. Blue River lacks knowledge or information sufficient to admit or deny the allegations
22 in Paragraph 262 and accordingly denies them.

23 263. Blue River lacks knowledge or information sufficient to admit or deny the allegations
24 in Paragraph 263 and accordingly denies them.

25 264. Blue River lacks knowledge or information sufficient to admit or deny the allegations
26 in Paragraph 264 and accordingly denies them.

27 265. Blue River lacks knowledge or information sufficient to admit or deny the allegations
28 in Paragraph 265 and accordingly denies them.

266. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 266 and accordingly denies them.

267. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 267 and accordingly denies them.

268. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 268 and accordingly denies them.

269. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 269 and accordingly denies them.

270. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 270 and accordingly denies them.

271. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 271 and accordingly denies them.

272. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 272 and accordingly denies them.

273. Blue River denies the allegations in Paragraph 273.

274. Blue River denies the allegations in Paragraph 274.

275. Blue River admits the quoted words (other than alterations) were in texts, but otherwise denies the allegations in Paragraph 275.

276. Blue River denies the allegations in Paragraph 276.

277. Blue River denies the allegations in Paragraph 277.

278. Blue River admits the quoted words (other than alterations) were in texts, but otherwise denies the allegations in Paragraph 278.

279. Blue River admits the quoted words (other than alterations) were in texts, but otherwise denies the allegations in Paragraph 279.

280. Blue River admits the quoted words (other than alterations) were in texts, but otherwise denies the allegations in Paragraph 280.

281. Blue River denies the allegations in Paragraph 281.

1 282. Blue River admits the quoted words (other than alterations) were in texts, but
2 otherwise denies the allegations in Paragraph 282.

3 283. Blue River admits the quoted words (other than alterations) were in texts, but
4 otherwise denies the allegations in Paragraph 283.

5 284. Blue River admits the quoted words (other than alterations) were in texts, but
6 otherwise denies the allegations in Paragraph 284.

7 285. Blue River admits the quoted words (other than alterations) were in texts, but
8 otherwise denies the allegations in Paragraph 285.

9 286. Blue River admits the quoted words (other than alterations) were in texts, but
10 otherwise denies the allegations in Paragraph 286.

11 287. Blue River admits the quoted words (other than alterations) were in texts, but
12 otherwise denies the allegations in Paragraph 287.

13 288. Blue River admits the quoted words (other than alterations) were in texts, but
14 otherwise denies the allegations in Paragraph 288.

15 289. Blue River admits the quoted words (other than alterations) were in texts, but
16 otherwise denies the allegations in Paragraph 289.

17 290. Blue River admits the quoted words (other than alterations) were in texts, but
18 otherwise denies the allegations in Paragraph 290.

19 291. Blue River admits the quoted words (other than alterations) were in texts, but
20 otherwise denies the allegations in Paragraph 291.

21 292. Blue River denies the allegations in Paragraph 292.

22 293. Blue River admits the quoted words (other than alterations) were in texts, but
23 otherwise denies the allegations in Paragraph 293.

24 294. Blue River lacks knowledge or information sufficient to admit or deny the allegations
25 in Paragraph 294 and accordingly denies them.

26 295. Blue River denies the allegations in Paragraph 295.

27 296. Blue River denies the allegations in Paragraph 296.

1 297. Blue River lacks knowledge or information sufficient to admit or deny the allegations
2 in Paragraph 297 and accordingly denies them.

3 298. Blue River admits the quoted words (other than alterations) were in texts, but
4 otherwise denies the allegations in Paragraph 298.

5 299. Blue River denies the allegations in Paragraph 299.

6 300. Blue River lacks knowledge or information sufficient to admit or deny the allegations
7 in Paragraph 300 and accordingly denies them.

8 301. Blue River lacks knowledge or information sufficient to admit or deny the allegations
9 in Paragraph 301 and accordingly denies them.

10 302. Blue River lacks knowledge or information sufficient to admit or deny the allegations
11 in Paragraph 302 and accordingly denies them.

12 303. Blue River lacks knowledge or information sufficient to admit or deny the allegations
13 in Paragraph 303 and accordingly denies them.

14 304. Blue River lacks knowledge or information sufficient to admit or deny the allegations
15 in Paragraph 304 and accordingly denies them.

16 305. Blue River lacks knowledge or information sufficient to admit or deny the allegations
17 in Paragraph 305 and accordingly denies them.

18 306. Blue River lacks knowledge or information sufficient to admit or deny the allegations
19 in Paragraph 306 and accordingly denies them.

20 307. Blue River lacks knowledge or information sufficient to admit or deny the allegations
21 in Paragraph 307 and accordingly denies them.

22 308. Blue River lacks knowledge or information sufficient to admit or deny the allegations
23 in Paragraph 308 and accordingly denies them.

24 309. Blue River lacks knowledge or information sufficient to admit or deny the allegations
25 in Paragraph 309 and accordingly denies them.

26 310. Blue River lacks knowledge or information sufficient to admit or deny the allegations
27 in Paragraph 310 and accordingly denies them.

1 311. Blue River lacks knowledge or information sufficient to admit or deny the allegations
2 in Paragraph 311 and accordingly denies them.

3 312. Blue River lacks knowledge or information sufficient to admit or deny the allegations
4 in Paragraph 312 and accordingly denies them.

5 313. Blue River lacks knowledge or information sufficient to admit or deny the allegations
6 in Paragraph 313 and accordingly denies them.

7 314. Blue River lacks knowledge or information sufficient to admit or deny the allegations
8 in Paragraph 314 and accordingly denies them.

9 315. Blue River lacks knowledge or information sufficient to admit or deny the allegations
10 in Paragraph 315 and accordingly denies them.

11 316. Blue River lacks knowledge or information sufficient to admit or deny the allegations
12 in Paragraph 316 and accordingly denies them.

13 317. Blue River lacks knowledge or information sufficient to admit or deny the allegations
14 in Paragraph 317 and accordingly denies them.

15 318. Blue River lacks knowledge or information sufficient to admit or deny the allegations
16 in Paragraph 318 and accordingly denies them.

17 319. Blue River lacks knowledge or information sufficient to admit or deny the allegations
18 in Paragraph 319 and accordingly denies them.

19 320. Blue River lacks knowledge or information sufficient to admit or deny the allegations
20 in Paragraph 320 and accordingly denies them.

21 321. Blue River lacks knowledge or information sufficient to admit or deny the allegations
22 in Paragraph 321 and accordingly denies them.

23 322. Blue River lacks knowledge or information sufficient to admit or deny the allegations
24 in Paragraph 322 and accordingly denies them.

25 323. Blue River lacks knowledge or information sufficient to admit or deny the allegations
26 in Paragraph 323 and accordingly denies them.

27 324. Blue River lacks knowledge or information sufficient to admit or deny the allegations
28 in Paragraph 324 and accordingly denies them.

1 325. Blue River lacks knowledge or information sufficient to admit or deny the allegations
2 in Paragraph 325 and accordingly denies them.

3 326. Blue River lacks knowledge or information sufficient to admit or deny the allegations
4 in Paragraph 326 and accordingly denies them.

5 327. Blue River denies the allegations in Paragraph 327.

6 328. Blue River denies the allegations in Paragraph 328.

7 329. Blue River lacks knowledge or information sufficient to admit or deny the allegations
8 in Paragraph 329 and accordingly denies them.

9 330. Blue River lacks knowledge or information sufficient to admit or deny the allegations
10 in Paragraph 330 and accordingly denies them.

11 331. Blue River lacks knowledge or information sufficient to admit or deny the allegations
12 in Paragraph 331 and accordingly denies them.

13 332. Blue River lacks knowledge or information sufficient to admit or deny the allegations
14 in Paragraph 332 and accordingly denies them.

15 333. Blue River lacks knowledge or information sufficient to admit or deny the allegations
16 in Paragraph 333 and accordingly denies them.

17 334. Blue River lacks knowledge or information sufficient to admit or deny the allegations
18 in Paragraph 334 and accordingly denies them.

19 335. Blue River lacks knowledge or information sufficient to admit or deny the allegations
20 in Paragraph 335 and accordingly denies them.

21 336. Blue River denies the allegations in Paragraph 336.

22 337. Blue River lacks knowledge or information sufficient to admit or deny the allegations
23 in Paragraph 337 and accordingly denies them.

24 338. Blue River lacks knowledge or information sufficient to admit or deny the allegations
25 in Paragraph 338 and accordingly denies them.

26 339. Blue River denies the allegations in Paragraph 339.

27 340. Blue River denies the allegations in Paragraph 340.

28 341. Blue River denies the allegations in Paragraph 341.

1 342. Blue River lacks knowledge or information sufficient to admit or deny the allegations
2 in Paragraph 342 and accordingly denies them.

3 343. Blue River lacks knowledge or information sufficient to admit or deny the allegations
4 in Paragraph 343 and accordingly denies them.

5 344. Blue River lacks knowledge or information sufficient to admit or deny the allegations
6 in Paragraph 344 and accordingly denies them.

7 345. Blue River lacks knowledge or information sufficient to admit or deny the allegations
8 in Paragraph 345 and accordingly denies them.

9 346. Blue River lacks knowledge or information sufficient to admit or deny the allegations
10 in Paragraph 346 and accordingly denies them.

11 347. Blue River denies the allegations in Paragraph 347.

12 348. Blue River denies the allegations in Paragraph 348.

13 349. Blue River lacks knowledge or information sufficient to admit or deny the allegations
14 in Paragraph 349 and accordingly denies them.

15 350. Blue River lacks knowledge or information sufficient to admit or deny the allegations
16 in Paragraph 350 and accordingly denies them.

17 351. Blue River lacks knowledge or information sufficient to admit or deny the allegations
18 in Paragraph 351 and accordingly denies them.

19 352. Blue River lacks knowledge or information sufficient to admit or deny the allegations
20 in Paragraph 352 and accordingly denies them.

21 353. Blue River denies the allegations in Paragraph 353.

22 354. Blue River lacks knowledge or information sufficient to admit or deny the allegations
23 in Paragraph 354 and accordingly denies them.

24 355. Blue River lacks knowledge or information sufficient to admit or deny the allegations
25 in Paragraph 355 and accordingly denies them.

26 356. Blue River lacks knowledge or information sufficient to admit or deny the allegations
27 in Paragraph 356 and accordingly denies them.

1 357. Blue River lacks knowledge or information sufficient to admit or deny the allegations
2 in Paragraph 357 and accordingly denies them.

3 358. Blue River lacks knowledge or information sufficient to admit or deny the allegations
4 in Paragraph 358 and accordingly denies them.

5 359. Blue River denies the existence of any cartel. Otherwise, Blue River lacks knowledge
6 or information sufficient to admit or deny the allegations in Paragraph 369 and accordingly denies
7 them.

8 360. Blue River lacks knowledge or information sufficient to admit or deny the allegations
9 in Paragraph 360 and accordingly denies them.

10 361. Blue River lacks knowledge or information sufficient to admit or deny the allegations
11 in Paragraph 361 and accordingly denies them.

12 362. Blue River lacks knowledge or information sufficient to admit or deny the allegations
13 in Paragraph 362 and accordingly denies them.

14 363. Blue River lacks knowledge or information sufficient to admit or deny the allegations
15 in Paragraph 363 and accordingly denies them.

16 364. Blue River lacks knowledge or information sufficient to admit or deny the allegations
17 in Paragraph 364 and accordingly denies them.

18 365. Blue River lacks knowledge or information sufficient to admit or deny the allegations
19 in Paragraph 365 and accordingly denies them.

20 366. Blue River lacks knowledge or information sufficient to admit or deny the allegations
21 in Paragraph 366 and accordingly denies them.

22 367. Blue River lacks knowledge or information sufficient to admit or deny the allegations
23 in Paragraph 367 and accordingly denies them.

24 368. Blue River denies the allegations in Paragraph 368.

25 369. Blue River lacks knowledge or information sufficient to admit or deny the allegations
26 in Paragraph 369 and accordingly denies them.

27 370. Blue River lacks knowledge or information sufficient to admit or deny the allegations
28 in Paragraph 370 and accordingly denies them.

371. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 371 and accordingly denies them.

372. Blue River denies the allegations in Paragraph 372.

373. Blue River denies the allegations in Paragraph 373.

374. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 374 and accordingly denies them.

375. Blue River denies the allegations in Paragraph 375.

376. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 376 and accordingly denies them.

377. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 377 and accordingly denies them.

378. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 378 and accordingly denies them.

379. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 379 and accordingly denies them.

380. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 380 and accordingly denies them.

381. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 381 and accordingly denies them.

382. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 382 and accordingly denies them.

383. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 383 and accordingly denies them.

384. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 384 and accordingly denies them.

385. Blue River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 385 and accordingly denies them.

1 386. Blue River lacks knowledge or information sufficient to admit or deny the allegations
2 in Paragraph 386 and accordingly denies them.

3 387. Blue River lacks knowledge or information sufficient to admit or deny the allegations
4 in Paragraph 387 and accordingly denies them.

5 388. Blue River lacks knowledge or information sufficient to admit or deny the allegations
6 in Paragraph 388 and accordingly denies them.

7 389. Blue River lacks knowledge or information sufficient to admit or deny the allegations
8 in Paragraph 389 and accordingly denies them.

9 390. Blue River lacks knowledge or information sufficient to admit or deny the allegations
10 in Paragraph 390 and accordingly denies them.

11 391. Blue River denies the allegations in Paragraph 391.

12 392. Blue River denies the allegations in Paragraph 392.

13 393. Blue River denies the allegations in Paragraph 393.

14 394. Blue River denies participating in any alleged meeting. Otherwise, Blue River lacks
15 knowledge or information sufficient to admit or deny the allegations in Paragraph 394 and
16 accordingly denies them.

17 395. Blue River denies participating in any alleged meeting. Otherwise, Blue River lacks
18 knowledge or information sufficient to admit or deny the allegations in Paragraph 395 and
19 accordingly denies them.

20 396. Blue River denies participating in any alleged meeting. Otherwise, Blue River lacks
21 knowledge or information sufficient to admit or deny the allegations in Paragraph 396 and
22 accordingly denies them.

23 397. Blue River denies the allegations in Paragraph 397.

24 398. Blue River denies the allegations in Paragraph 398.

25 399. Blue River lacks knowledge or information sufficient to admit or deny the allegations
26 in Paragraph 399 and accordingly denies them.

27 400. Blue River lacks knowledge or information sufficient to admit or deny the allegations
28 in Paragraph 400 and accordingly denies them.

1 401. Blue River lacks knowledge or information sufficient to admit or deny the allegations
2 in Paragraph 401 and accordingly denies them.

3 402. Blue River lacks knowledge or information sufficient to admit or deny the allegations
4 in Paragraph 402 and accordingly denies them.

5 403. Blue River denies the allegations in Paragraph 403.

6 404. Blue River lacks knowledge or information sufficient to admit or deny the allegations
7 in Paragraph 404 and accordingly denies them.

8 405. Blue River lacks knowledge or information sufficient to admit or deny the allegations
9 in Paragraph 405 and accordingly denies them.

10 406. Blue River lacks knowledge or information sufficient to admit or deny the allegations
11 in Paragraph 406 and accordingly denies them.

12 407. Blue River lacks knowledge or information sufficient to admit or deny the allegations
13 in Paragraph 407 and accordingly denies them.

14 408. Blue River denies there is any price-fixing agreement among buyers. Otherwise, Blue
15 River lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 408
16 and accordingly denies them.

17 409. Blue River lacks knowledge or information sufficient to admit or deny the allegations
18 in Paragraph 409 and accordingly denies them.

19 410. Blue River denies the allegations in Paragraph 410.

20 411. Blue River denies the allegations in Paragraph 411.

21 412. Blue River denies the allegations in Paragraph 412.

22 413. Blue River denies the allegations in Paragraph 413.

23 414. Blue River denies the allegations in Paragraph 414.

24 415. Blue River denies the allegations in Paragraph 415.

25 416. Blue River denies the allegations in Paragraph 416.

26 417. Blue River denies the allegations in Paragraph 417.

27 418. Blue River lacks knowledge or information sufficient to admit or deny the allegations
28 in Paragraph 418 and accordingly denies them.

1 419. Blue River lacks knowledge or information sufficient to admit or deny the allegations
2 in Paragraph 419 and accordingly denies them.

3 420. The California Department of Fish and Wildlife's landing records speak for
4 themselves and do not require a response. Otherwise, Blue River lacks knowledge or information
5 sufficient to admit or deny the allegations in Paragraph 420 and accordingly denies them.

6 421. Blue River lacks knowledge or information sufficient to admit or deny the allegations
7 in Paragraph 421 and accordingly denies them.

8 422. Blue River lacks knowledge or information sufficient to admit or deny the allegations
9 in Paragraph 422 and accordingly denies them.

10 423. Blue River lacks knowledge or information sufficient to admit or deny the allegations
11 in Paragraph 423 and accordingly denies them.

12 424. Blue River denies the allegations in Paragraph 424.

13 425. Blue River lacks knowledge or information sufficient to admit or deny the allegations
14 in Paragraph 425 and accordingly denies them.

15 426. Blue River denies any agree-upon cartel price. Otherwise, Blue River lacks
16 knowledge or information sufficient to admit or deny the allegations in Paragraph 426 and
17 accordingly denies them.

18 427. Blue River lacks knowledge or information sufficient to admit or deny the allegations
19 in Paragraph 427 and accordingly denies them.

20 428. Blue River lacks knowledge or information sufficient to admit or deny the allegations
21 in Paragraph 428 and accordingly denies them.

22 429. Blue River denies the allegations in Paragraph 389.

23 430. Blue River denies the allegations in Paragraph 430.

24 431. Blue River lacks knowledge or information sufficient to admit or deny the allegations
25 in Paragraph 431 and accordingly denies them.

26 432. Blue River denies the allegations in Paragraph 432.

27 433. Blue River lacks knowledge or information sufficient to admit or deny the allegations
28 in Paragraph 433 and accordingly denies them.

1 434. Blue River lacks knowledge or information sufficient to admit or deny the allegations
2 in Paragraph 434 and accordingly denies them.

3 435. Blue River lacks knowledge or information sufficient to admit or deny the allegations
4 in Paragraph 435 and accordingly denies them.

5 436. Blue River denies the allegations in Paragraph 436.

6 437. Blue River denies the allegations in Paragraph 437.

7 438. Blue River denies the allegations in Paragraph 438.

8 439. Blue River denies the allegations in Paragraph 439.

9 440. Blue River lacks knowledge or information sufficient to admit or deny the allegations
10 in Paragraph 440 and accordingly denies them.

11 441. Blue River lacks knowledge or information sufficient to admit or deny the allegations
12 in Paragraph 441 and accordingly denies them.

13 442. Blue River denies the existence of a cartel or a cartel price. Otherwise, Blue River
14 lacks knowledge or information sufficient to admit or deny the allegations in Paragraph 442 and
15 accordingly denies them.

16 443. Blue River denies the allegations in Paragraph 443.

17 444. Blue River lacks knowledge or information sufficient to admit or deny the allegations
18 in Paragraph 444 and accordingly denies them.

19 445. Blue River lacks knowledge or information sufficient to admit or deny the allegations
20 in Paragraph 445 and accordingly denies them.

21 446. Blue River denies the allegations in Paragraph 446.

22 447. Blue River lacks knowledge or information sufficient to admit or deny the allegations
23 in Paragraph 447 and accordingly denies them.

24 448. Blue River lacks knowledge or information sufficient to admit or deny the allegations
25 in Paragraph 448 and accordingly denies them.

26 449. Blue River denies the existence of any cartel price. Otherwise, Blue River lacks
27 knowledge or information sufficient to admit or deny the allegations in Paragraph 449 and
28 accordingly denies them.

1 450. Blue River lacks knowledge or information sufficient to admit or deny the allegations
2 in Paragraph 450 and accordingly denies them.

3 451. Blue River lacks knowledge or information sufficient to admit or deny the allegations
4 in Paragraph 451 and accordingly denies them.

5 452. Blue River lacks knowledge or information sufficient to admit or deny the allegations
6 in Paragraph 452 and accordingly denies them.

7 453. Blue River lacks knowledge or information sufficient to admit or deny the allegations
8 in Paragraph 453 and accordingly denies them.

9 454. Blue River lacks knowledge or information sufficient to admit or deny the allegations
10 in Paragraph 454 and accordingly denies them.

11 455. Blue River lacks knowledge or information sufficient to admit or deny the allegations
12 in Paragraph 455 and accordingly denies them.

13 456. Blue River denies the allegations in Paragraph 456.

14 457. Blue River lacks knowledge or information sufficient to admit or deny the allegations
15 in Paragraph 457 and accordingly denies them.

16 458. Blue River denies the allegations in Paragraph 458.

17 459. Blue River denies the allegations in Paragraph 459.

18 460. Blue River denies the allegations in Paragraph 460 and each subparagraph.

19 461. Blue River denies the allegations in Paragraph 461.

20 462. Blue River denies the allegations in Paragraph 462.

21 463. Blue River denies the allegations in Paragraph 463.

22 464. Blue River denies the allegations in Paragraph 464.

23 465. The allegations in Paragraph 465 contain legal conclusions to which no response is
24 required. To the extent a response is required, Blue River denies the allegations in Paragraph 465 and
25 denies that a class should be certified in this case.

26 466. The allegations in Paragraph 466 contain legal conclusions to which no response is
27 required. To the extent a response is required, Blue River denies the allegations in Paragraph 466 and
28 denies that a class should be certified in this case.

1 467. Blue River admits that the Second Amended Complaint purports to exclude from the
2 alleged putative classes the listed entities and persons but denies that a class should be certified in this
3 case.

4 468. The allegations in Paragraph 468 contain legal conclusions to which no response is
5 required. To the extent a response is required, Blue River denies the allegations in Paragraph 468 and
6 denies that a class should be certified in this case.

7 469. The allegations in Paragraph 469 contain legal conclusions to which no response is
8 required. To the extent a response is required, Blue River denies the allegations in Paragraph 469 and
9 denies that a class should be certified in this case.

10 470. The allegations in Paragraph 470 contain legal conclusions to which no response is
11 required. To the extent a response is required, Blue River denies the allegations in Paragraph 470 and
12 denies that a class should be certified in this case.

13 471. The allegations in Paragraph 471 contain legal conclusions to which no response is
14 required. To the extent a response is required, Blue River denies the allegations in Paragraph 471 and
15 denies that a class should be certified in this case.

16 472. The allegations in Paragraph 472 contain legal conclusions to which no response is
17 required. To the extent a response is required, Blue River denies the allegations in Paragraph 472 and
18 denies that a class should be certified in this case.

19 473. The allegations in Paragraph 473 contain legal conclusions to which no response is
20 required. To the extent a response is required, Blue River denies the allegations in Paragraph 473 and
21 denies that a class should be certified in this case.

22 474. The allegations in Paragraph 474 contain legal conclusions to which no response is
23 required. To the extent a response is required, Blue River denies the allegations in Paragraph 474 and
24 denies that a class should be certified in this case.

25 475. The allegations in Paragraph 475 contain legal conclusions to which no response is
26 required. To the extent a response is required, Blue River denies the allegations in Paragraph and
27 denies that a class should be certified in this case.

28 476. Blue River denies the allegations in Paragraph 476.

477. Blue River denies the allegations in Paragraph 477.

478. Blue River denies the allegations in Paragraph 478.

479. Blue River denies the allegations in Paragraph 479.

480. Blue River denies the allegations in Paragraph 480.

481. Blue River denies the allegations in Paragraph 481.

482. Blue River denies the allegations in Paragraph 482.

CLAIMS FOR RELIEF

FIRST CAUSE OF ACTION

483. Blue River incorporates its responses to each Paragraph above as if fully herein.

484. Blue River denies the allegations in Paragraph 484.

485. Blue River denies the allegations in Paragraph 485.

486. Blue River denies the allegations in Paragraph 486.

487. Blue River denies the allegations in Paragraph 487.

488. Blue River denies the allegations in Paragraph 488.

489. Blue River denies the allegations in Paragraph 489.

490. Blue River denies the allegations in Paragraph 490.

491. Blue River denies the allegations in Paragraph 491.

492. Blue River denies the allegations in Paragraph 492.

SECOND CAUSE OF ACTION

493. Blue River incorporates its response to each Paragraph above as if fully herein.

494. Blue River denies the allegations in Paragraph 494.

495. Blue River denies the allegations in Paragraph 495.

496. Blue River denies the allegations in Paragraph 496.

497. Blue River denies the allegations in Paragraph 497.

498. Blue River denies the allegations in Paragraph 498.

THIRD CAUSE OF ACTION

499. Blue River incorporates its responses to each Paragraph above as if fully herein.

500. Blue River denies the allegations in Paragraph 500.

501. Blue River denies the allegations in Paragraph 501.

502. Blue River denies the allegations in Paragraph 502.

503. Blue River denies the allegations in Paragraph 503.

504. Blue River denies the allegations in Paragraph 504.

FOURTH CAUSE OF ACTION

505. Blue River incorporates its responses to each Paragraph above as if fully herein.

506. Blue River denies the allegations in Paragraph 506.

PRAYER FOR RELIEF

Blue River denies that plaintiffs are entitled certification of a class or any of the relief requested in this section or elsewhere in the Complaint.

SEPARATE AND ADDITIONAL DEFENSES

Without admitting the existence of any contract, combination, or conspiracy in restraint of trade, and without assuming any burden of proof that it would not otherwise bear, Blue River asserts the following separate and additional defenses:

FIRST DEFENSE

(Lack of Standing)

Plaintiffs lack standing to assert their claims. Among other things, Plaintiffs have not sustained any injury, cognizable damage, or other harm as a result of conduct alleged in the Second Amended Complaint because, among other things, Plaintiffs did not sell Dungeness crab ex vessel to Blue River within the limitations period. Claims of putative class members also fail for lack of standing.

SECOND DEFENSE

(Lack of Antitrust Injury)

Plaintiffs' claims are barred, in whole or in part, because Plaintiffs suffered no antitrust injury (i.e., a type of injury that the antitrust laws were intended to remedy). Among other things, Plaintiffs have not sustained any injury, cognizable damage, or other harm as a result of conduct alleged in the

1 Amended Complaint, or any alleged harm is too remote, because, among other things, Plaintiffs did
2 not sell Dungeness crab ex vessel to Blue River within the limitations period, or to any ex vessel
3 purchasers participating in the alleged conspiracy. In addition, Plaintiff Burns has never sold
4 Dungeness crab ex vessel and does not have the legal right to assert claims that may have belonged to
5 her deceased husband. Claims of putative class members also fail for lack of standing.

7 **THIRD DEFENSE**

8 **(State Action Doctrine)**

9 Plaintiffs' and putative class members' claims are barred, in whole or in part, by immunity
10 granted directly by state law or by the state action doctrine, *see Parker v. Brown*, 317 U.S. 341
11 (1943). Plaintiffs seek to impose antitrust liability on Blue River based on its participation in
12 meetings that were actively supervised by state agencies pursuant to a clearly articulated and
13 affirmatively expressed state legislative policy to displace competition and allow fishermen and
14 buyers to bargain and negotiate prices collectively, even though such conduct is immunized by state
15 and federal law.

17 **FOURTH DEFENSE**

18 **(First Amendment and Noerr-Pennington Doctrine)**

19 The claims of the Plaintiffs and putative class members are barred, in whole or in part, insofar
20 as they challenge the exercise of rights protected by the First Amendment of the United States
21 Constitution and by the *Noerr-Pennington* doctrine. Plaintiffs allege that Blue River can be liable for
22 antitrust violations because of its and/or other Defendants' participation in meetings, including
23 meetings with other buyers or government officials, which as alleged concerned petitioning or
24 lobbying activities that are immunized by state and federal law.

25 **FIFTH DEFENSE**

26 **(Statute(s) of Limitations)**

27 Plaintiffs' and putative class members' claims are barred, in whole or in part, by the
28 applicable statute of limitations. Plaintiffs seek to recover damages from January 1, 2016 to the

1 present. However, Plaintiffs' claims are subject to a four-year statute of limitations, and those claims
2 accrued at the time Plaintiffs were paid an ex vessel price that they claim was artificially suppressed
3 as the result of an alleged conspiracy. Accordingly, Plaintiffs' claims based on ex vessel sales that
4 occurred prior to March 13, 2019 – four years before the original Complaint was filed – are time-
5 barred.

6 7 **SIXTH DEFENSE**

8 **(Laches/Waiver/Estoppel)**

9 Plaintiffs' and putative class members' claims are barred, in whole or in part, by the doctrines
10 of laches, waiver, and/or estoppel. Plaintiffs delayed filing this lawsuit for an unreasonable and
11 inexcusable length of time from the time Plaintiffs knew or reasonably should have known of their
12 claims against Blue River. Plaintiffs failed to exercise diligence to discover their alleged claims, or
13 Plaintiffs had either actual or constructive knowledge of the facts they contend give rise to their
14 alleged claims but failed to assert those claims within a reasonable time. Plaintiffs were aware of the
15 claims they allege and intended to relinquish them. Blue River has suffered prejudice in its ability to
16 defend this case due to Plaintiffs' failure to assert their alleged claims within a reasonable time.
17 Plaintiffs are now estopped from asserting their claims now because of such delay and waiver.

18 19 **SEVENTH DEFENSE**

20 **(Unclean Hands)**

21 Plaintiffs' and putative class members' claims are barred, in whole or in part, by the doctrine
22 of unclean hands, to the extent that Plaintiffs and putative class members have engaged in fraud or
23 willful misconduct related to the subject matter of their claims or were significantly involved in
24 illegal conduct, including illegal collective price-bargaining, price-fixing or other violations of the
25 antitrust or unfair competition laws.

26 27 **EIGHTH DEFENSE**

28 **(Lack of Damages/Mitigation)**

1 Antitrust plaintiffs have a duty to mitigate their damages. Plaintiffs and putative class
2 members have no damages or have failed to mitigate damages, if any. Plaintiffs' and putative class
3 members' alleged damages, if any, were not caused by Blue River.

5 **NINTH DEFENSE**

6 **(Due Process)**

7 The class action claims are barred, in whole or in part, to the extent that they seek to deprive
8 Blue River of procedural and substantive safeguards, including, but not limited to, traditional
9 defenses to liability, or duplicative recovery of alleged overcharges, in violation of the due process
10 clause of the United States Constitution and analogous provisions of the California Constitution.
11 This includes that, to the extent Plaintiffs and the proposed class seek relief on behalf of purported
12 class members who have not suffered any injury or damages, the Second Amended Complaint and
13 each of its claims for relief therein violate Blue River's rights to due process under the United States
14 Constitution.

16 **TENTH DEFENSE**

17 **(Acquiescence)**

18 Plaintiffs' and putative class members' claims are barred, in whole or in part, by the
19 Plaintiffs' knowing acquiescence to the restraints of trade alleged in the Amended Complaint.
20 Plaintiffs' claims are based on the allegation that Defendants delayed in offering a season opening
21 price. Among other things, Plaintiffs and putative class members acquiesced in that alleged conduct,
22 and their claims are barred, because Plaintiffs chose to remain in port, rather than exercise the option
23 to fish on open ticket.

25 **PRAYER FOR RELIEF**

26 WHEREFORE, Blue River prays for relief as follows:

- 27 1. That the Court award Blue River judgment in its favor on all of Plaintiffs' claims and
28 dismiss this action with prejudice.

2. That the Court award Blue River all other and further relief deemed just and reasonable.

DEMAND FOR JURY TRIAL

Blue River demands a jury trial on all issues so triable.

Dated: September 16, 2025

ILLOVSKY GATES & CALIA LLP
SEAN GATES
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/s/ Sean P. Gates
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